

EXHIBIT “A”

KALIKHMAN & RAYZ, LLC
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ATTORNEYS FOR PLAINTIFF

THIS MATTER IS MAILED BY THE CLERK OF THE COURT



STANLEY BAIDER
1630-90 Welsh Rd., Unit 21
Philadelphia, PA 19115

Plaintiff

vs.

DDR, CORP.
Two Commerce Square
2001 Market Street 5th
Philadelphia, PA 19103
and
DDR NOBLE TC TRUST
901 Old York Road
Jenkintown, PA 19046
and
DDR MID-ATLANTIC MANAGEMENT CORP.
f/k/a INLAND MID-ATLANTIC MANAGEMENT
CORP.
Two Commerce Square
2001 Market Street 5th
Philadelphia, PA 19103

Defendants

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY, PA

JULY TERM, 2017

NO.:

CIVIL ACTION—LAW

CIVIL ACTION COMPLAINT

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

**PHILADELPHIA BAR ASSOCIATION
LAWYER REFERRAL & INFORMATION
SERVICE**

**ONE READING CENTER
PHILADELPHIA, PA 19107
TELEPHONE: (215) 238-1701**

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, le corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

**SERVICIO DE REFERENCIA LEGAL
ONE READING CENTER
FILADELPHIA, PA 19107
TELEFONO: (215) 238-1701**

Plaintiff, Stanley Baider, by and through his attorneys, Kalikhman & Rayz, LLC hereby set forth this Civil Action Complaint and avers as follows:

1. Plaintiff, Stanley Baider, is an adult individual, who resides at 1630-90 Welsh Rd., Unit 21, Philadelphia, PA 19115.

2. Defendant, DDR, Corp. is a corporation and/or similar entity authorized to do business in Pennsylvania with an address of Two Commerce Square, 2001 Market Street 5th Floor, Philadelphia, PA 19103 and at all times pertinent hereto owned, operated, controlled, maintained and possessed the property known as the Noble Town Center (the "Premises"), located in 901 Old York Road in Jenkintown, PA.

3. Defendant, DDR Noble TC Trust is a corporation and/or similar entity authorized to do business in Pennsylvania with an address of 901 Old York Road, Jenkintown, PA 19046 and at all times pertinent hereto owned, operated, controlled, maintained and possessed the property known as the Noble Town Center (the "Premises"), located in 901 Old York Road in Jenkintown, PA.

4. Defendant, DDR Mid-Atlantic Management Corp., formerly known as Inland Mid-Atlantic Management Corp. is a corporation and/or similar entity authorized to do business in Pennsylvania with an address of Two Commerce Square, 2001 Market Street 5th Floor, Philadelphia, PA 19103 and at all times pertinent hereto owned, operated, controlled, maintained and possessed the property known as the Noble Town Center (the "Premises"), located in 901 Old York Road in Jenkintown, PA.

5. Defendants' Premises contains several retail establishments that invite the general public to purchase retail products and services that are for sale.

6. At all times hereto, Plaintiff was a business invitee upon Defendants' premises.

7. At all times relevant hereto, Defendant acted and/or failed to act by and through their agents, servants, work persons and/or employees, and each other, within the course and scope of employment.

8. On or about September 18, 2016, Plaintiff was lawfully and properly on Defendants' Premises, in the parking lot of the Noble Town Center at or near the parking lot adjacent to the Bed, Bath & Beyond retail store, a tenant of Defendants.

9. Upon exiting his vehicle, Plaintiff was caused to be injured by reason of a dangerous condition upon Defendants' Premises, which defendants knew or had reason to know existed and/or created, and the dangerous condition existed for some time, which caused plaintiff serious, severe and potentially permanent injuries.

10. More specifically, Defendants permitted to exist an unsafe, dangerous and overly steep grade to exist on a grassy island within the parking lot, given the circumstances, that caused Plaintiff fall down said grassy island suffer sever and potentially permanent injuries.

11. At all times relevant hereto, Plaintiff acted in a careful, cautious, reasonable and prudent manner and was free from any comparative negligence.

12. At all times relevant hereto, Plaintiff did not in any manner assume risk of injury and/or accident.

13. The aforementioned incident, and the resulting injuries and/or damages sustained by Plaintiff, directly and proximately resulted from the negligence, carelessness, recklessness and/or unlawfulness of Defendant, which conduct consisted of, but not limited to, the following:

- a. Failing to properly and adequately maintain and have said parking lot in a reasonably safe condition, so that business invitees will not be unnecessarily or unreasonably exposed to danger;
- b. Failing to properly and adequately maintain and have the premises safe, including but, not limited to the parking lot and its steep grassy island to prevent the hazardous and dangerous condition in, on and about said premises;
- b. Failing to warn persons lawfully upon the premises of said dangerous and hazardous conditions contained in the parking lot;
- c. Failing to implement some remedial measures, such as placing warnings or barriers, when they knew, and should have known for some time, of the dangerous and hazardous condition of the premises, including but not limited to the parking lot and its steep grassy island;
- d. Causing and/or permitting a dangerous and hazardous condition to exist which the Defendant knew or should have known caused an unreasonable risk of harm to plaintiff and other;
- e. Failing to properly perform its statutory, common law and ordinance duties;
- f. Failing to properly inspect said premises for the dangers posed;
- g. Creating and permitting a foreseeable risk of harm to pedestrians;
- h. Failing to make said premises reasonably safe;
- i. Failing to properly comply with City, County, State, Federal and/or industry codes; and
- j. Being negligent, careless, reckless and/or unlawful under the circumstances in the hiring, employing and/or promoting the various agents, servants, workmen and/or employees who were responsible and obligated to properly inspect, maintain, and/or remediate the area of the aforementioned accident, including but not limited to parking lot and its sidewalk.

14. By reason of all the foregoing, Plaintiff suffered severe and potentially permanent injuries including, but not limited to his face, arms, body and torso, post-traumatic anxiety and shock, together with various other injuries, the exact extent of which are unknown at this time, but which may be and probably are of a permanent nature with disabilities and loss of function.

15. As a further direct and proximate result of Defendants' careless and otherwise negligent acts or failures to act, Plaintiff has suffered, and may continue to suffer, great physical and mental pain and anguish resulting in a loss of the enjoyment of life.

16. As a further direct and proximate result of Defendants' careless and otherwise negligent acts or failures to act, Plaintiff has been, and may continue to be, obliged to receive and undergo medical attention and care to his great financial detriment.

17. As a further direct and proximate result of Defendants' careless and otherwise negligent acts or failures to act, Plaintiff has been, and may continue to be, obliged to expend various sums for ordinary and necessary services that Plaintiff would have performed for his own benefit, but was unable to perform due to his serious and potentially permanent injuries or aggravations of injuries.

18. As a further result of Defendants' careless and otherwise negligent acts or failures to act, Plaintiff has had workers' compensation liens, healthcare liens, welfare liens, and/or other liens asserted against him, for which he makes claims herein.

WHEREFORE, Plaintiff demands judgment against Defendant in an amount in excess of \$50,000.

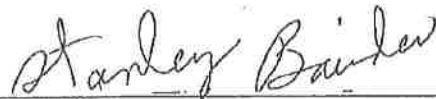
Respectfully submitted,

BY: /s/
Lawrence Kalikhman, Esquire
Counsel for Plaintiff

Date: July 7, 2017

VERIFICATION

I, the undersigned, hereby verifies that I am the named plaintiff in the foregoing action and that the facts set forth in the Complaint are true and correct the best of my knowledge, information and belief. I am aware that said statements are made subject to the penalties relating to unsworn falsifications to authorities.


STANLEY BAIDER